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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,886	02/12/2001	SadAo Ito	1232-4685	9637

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EXAMINER	
ROSEN, NICHOLAS D	

ART UNIT	PAPER NUMBER
3625	

DATE MAILED: 10/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/781,886	ITO ET AL.	
	Examiner	Art Unit	
	Nicholas D. Rosen	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 July 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,14,15,18-27,34,35,38-43,46 and 47* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7,14,15,18-27,34,35,38-43,46 and 47* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 February 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claims 1-7, 14, 15, 18-27, 34, 35, 38-43, 46, and 47 have been examined.

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract should be one paragraph.

The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Objections

Claim 6 is objected to because of the following informalities: "unit price purchased at said plurality of bases" is ungrammatical and unclear, and should

presumably be "unit price among objects purchased at said plurality of bases". Appropriate correction is required.

Claim 15 is objected to because of the following informalities: "a mechanical parts material information" should be clearly singular or plural: "a mechanical part's material information" or "mechanical parts material information". Appropriate correction is required.

Claim 26 is objected to because of the following informalities: "unit price purchased at said plurality of bases" is ungrammatical and unclear, and should presumably be "unit price among objects purchased at said plurality of bases". Appropriate correction is required.

Claim 35 is objected to because of the following informalities: "a mechanical parts material information" should be clearly singular or plural: "a mechanical part's material information" or "mechanical parts material information". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-7

Claims 1 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson et al. (U.S. Patent 6,324,522). As per claim 1, Peterson discloses an information providing system, comprising: a database storing price information about objects at a plurality of bases (column 13, line 42, through column 14, line 16; column 15, lines 16-57, especially line 55 for price information); and display control means for displaying price information about the objects at said plurality of bases stored in said database on display means (column 13, line 42, through column 14, line 16; column 15, lines 16-57; column 22, lines 15-47). Peterson does not disclose that the objects are necessarily objects purchased at a plurality of bases, but does disclose that the vendors in his system are very often not manufacturers, but businesses which purchase items from manufacturers or other distributors for resale to end users (column 2, lines 11-22). Hence, in Peterson, the objects at a plurality of bases would very often be items purchased at a plurality of bases.

As per claim 7, Peterson discloses that the display control can further display cost cutting information (column 15, line 58, through column 16, line 3).

Claims 2, 3, 4, and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson et al. (U.S. Patent 6,324,522) as applied to claim 1 above, and further in view of Kojima et al. (U.S. Patent Application Publication 2003/0078862). As per claim 2, Peterson arguably does not expressly disclose that said display control means displays unit price information about the objects purchased at said plurality of bases, although Peterson discloses displaying the price of the item for each owner having a part for sale (column 15, lines 49-57), but Kojima teaches displaying unit price information about objects (Figure 46; paragraph 170). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce to have the display control means display unit price information about the objects purchased at said plurality of bases, for the obvious advantage of enabling potential purchasers to compare unit prices, often an important factor in deciding where to make purchases.

As per claim 3, Peterson does not expressly disclose that said display control means displays the unit price information about the objects purchased at the plurality of bases, and a total quantity and/or a total amount of money, but Kojima teaches displaying unit price information about objects and a total quantity and total amount of money (Figure 46; paragraph 170). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce to have the display control means display unit price information about the objects at said plurality of bases and/or total amount of money, for the obvious advantage of enabling potential purchasers to compare unit prices, often an important factor in deciding where to make purchases, and track total prices, important in authorizing purchases, keeping financial records, etc.

As per claim 4, Peterson does not expressly disclose that said display control means displays an amount of money based on a present currency of the bases (although the prices disclosed by Peterson would presumably be in a present currency of the bases), but Kojima teaches displaying an amount of money based on a present currency of a seller (Figures 17 and 46; paragraphs 100 and 170). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce to display an amount of money based on a present currency of the bases, for the obvious advantage of informing potential purchasers of how much desired parts cost.

As per claim 6, Peterson discloses displaying the price of the item for each owner having a part for sale (column 5, lines 49-57), implying the display of a difference in unit prices among the plurality of owners/bases if the prices are different, as in general they would be.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson and Kojima as applied to claim 4 above, and further in view of the McKendrick article, "ResQ!Net.com Gives 5250 a Complete Makeover." Peterson does not disclose that said display control means further displays an exchange rate, but McKendrick teaches displaying an exchange rate (paragraph beginning "Version 3.2 of the product"). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to display an exchange rate, for the obvious advantage of enabling a potential purchaser to determine the cost of a desired object offered by a particular seller in the currency of concern to the potential purchaser.

Claims 14, 15, and 18-20

Claims 14, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leal et al. (U.S. Patent 5,311,437) in view of Peterson et al. (U.S. Patent 6,324,522). As per claim 14, Leal discloses an information providing system, comprising: a database storing material information (Figures 1 and 2; column 3, line 46, through column 4, line 37) including amount-of-money information and/or unit price information about materials (column 4, line 65, through column 5, line 6); specifying means for specifying material (column 4, lines 32-37 and 57-64; column 5, line 66, through column 6, line 54), and control means for displaying material information corresponding to the material specified by said specifying means after searching said database for the information (column 4, line 65, through column 5, line 8; column 6, lines 17-54). Leal does not expressly disclose that said amount-of-money information and/or unit price information are stored about materials purchased at a plurality of bases, but Peterson teaches displaying the price of an item for each owner having an item of a given type for sale (column 15, lines 49-57), and teaches that the vendors in his system are very often not manufacturers, but businesses which purchase items from manufacturers or other distributors for resale to end users (column 2, lines 11-22). Hence, in Peterson, the objects at a plurality of bases would very often be items purchased at a plurality of bases. Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to have said amount-of-money information and/or unit price information stored about materials purchased at a plurality of bases, for the obvious advantage of enabling potential purchasers to buy from the cheapest source.

As per claim 18, Leal discloses that said database stores weight information about materials (column 4, line 65, through column 5, line 6).

As per claim 20, Leal discloses that said database stores at least one of specification information, approved color information, and environment information about materials (column 5, lines 23-65; column 6, lines 23-47).

Claims 15 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leal et al. (U.S. Patent 5,311,437) and Peterson et al. (U.S. Patent 6,324,522) as applied to claim 14 above, and further in view of Sebastian (U.S. Patent 5,552,995). As per claim 15, Leal does not expressly disclose that said database stores resin material information and/or a mechanical parts material (mechanical parts material information?), but Sebastian teaches a database storing resin material information (column 16, lines 30-36). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to have the database store resin material information and/or a mechanical parts material, for at least the obvious advantage of providing relevant information about resins, an important class of materials.

As per claim 19, Leal discloses a database storing material information, but not exactly product information, and does not disclose that said control means displays information about the products in which the materials specified by said specifying are used after searching said database for the information. However, Sebastian discloses a database storing material information and product information (e.g., column 4, lines 36-57; column 19, lines 57-67); and discloses displaying information about products in

which the specified materials are used after searching said database for the information (column 5, line 48, through column 6, line 34; column 15, lines 9-31; column 16, lines 13-36; column 22, line 18, through column 23, line 30; claims 32 and 33). Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to have the control means display information about the products in which the materials specified by said specifying are used after searching said database for the information, for the stated advantage of assisting in product design.

Claims 22-26

Claims 21 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson et al. (U.S. Patent 6,324,522). Claims 21 and 27 are closely parallel to claims 1 and 7, respectively, and rejected on essentially the same grounds.

Claims 22, 23, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson et al. (U.S. Patent 6,324,522) as applied to claim 21 above, and further in view of Kojima et al. (U.S. Patent Application Publication 2003/0078862); and in the case of claim 25, also in view of McKendrick. Claims 22-26 are closely parallel to claims 2-6, respectively, and rejected on essentially the same grounds.

Claims 34, 35, and 38-40

Claims 34, 38, and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leal et al. (U.S. Patent 5,311,437) in view of Peterson et al. (U.S.

Patent 6,324,522). Claims 34, 38, and 40 are closely parallel to claims 14, 18, and 20, respectively, and rejected on essentially the same grounds.

Claims 37 and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leal et al. (U.S. Patent 5,311,437) and Peterson et al. (U.S. Patent 6,324,522) as applied to claim 34, and further in view of Sebastian (U.S. Patent 5,552,995). Claims 37 and 39 are closely parallel to claims 17 and 19, respectively, and rejected on essentially the same grounds.

Claims 41-43

Claim 41 is rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson et al. (U.S. Patent 6,324,522) as applied to claim 1 above and further in view of official notice. Claims 42 and 43 are rejected as being unpatentable over Peterson et al. (U.S. Patent 6,324,522) and official notice, and further in view of Kojima et al. (U.S. Patent Application Publication 2003/0078862) as applied to claims 2 and 3 above. Claims 41, 42, and 43 are essentially parallel to claims 1, 2, and 3, respectively; Peterson does not disclose a computer-readable medium storing instructions for carrying out the recited steps, but official notice is taken that computer–readable media storing instructions are well known. Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to store instructions for carrying out the steps of claims 41, 42, and 43 on a computer-readable medium, for the obvious advantage of enabling a computer to carry out the method.

Claims 46 and 47

Claim 46 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leal et al. (U.S. Patent 5,311,437) and Peterson et al. (U.S. Patent 6,324,522) as applied to claim 14 above and further in view of official notice. Claim 45 is rejected as being unpatentable over Leal et al. (U.S. Patent 5,311,437), Peterson et al. (U.S. Patent 6,324,522), and official notice, and further in view of Sebastian (U.S. Patent 5,552,995) as applied to claim 19 above. Claims 46 and 47 are essentially parallel to claims 14 and 19, respectively; Leal does not disclose a computer-readable medium storing instructions for carrying out the recited steps, but official notice is taken that computer–readable media storing instructions are well known. Hence, it would have been obvious to one of ordinary skill in the art of electronic commerce at the time of applicant's invention to store instructions for carrying out the steps of claims 46 and 47 on a computer-readable medium, for the obvious advantage of enabling a computer to carry out the method.

Response to Arguments

Applicant's arguments filed July 26, 2004, have been fully considered but they are not persuasive. First, Applicant argues that Peterson fails to teach or suggest the display feature of claims 1 and 21, asserting that the displaying in Peterson is from the vendor perspective, not the perspective of claims 1 and 21. It might be pointed out in response that Peterson also discloses displaying from the perspective of a user interested in learning what objects various vendors have available for sale (see column 22, lines 9-47, for example), but more fundamentally, claims 1 and 21 do not recite their

perspective in terms that distinguish it over Peterson. If there are differences in Applicant's inventive concept that potentially render it patentable over Peterson, it is necessary to recite these differences in the claims, not merely assert that differences exist.

Regarding claims 14 and 34, Applicant argues that Leal involves a materials selector tool, and does not teach or suggest the display of material information about materials purchased at a plurality of bases. Examiner replies that these claims are now rejected over Leal in view of Peterson, a rejection believed to be valid for essentially the same reason set forth above with regard to claims 1 and 21.

The common knowledge or well-known in the art statements in the previous office action are taken to be admitted prior art, because Applicant did not traverse Examiner's taking of official notice.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Spiegelhof et al. (U.S. Patent 5,402,336) disclose a system and method for allocating resources of a retailer among multiple wholesalers. Lu et al. (U.S. Patent 5,450,317) disclose a method and system for optimized logistics planning. Johnson et al. (U.S. Patent 5,712,989) disclose a just-in-time requisition and inventory management system. Kaye et al. (U.S. Patent 5,727,164) disclose an apparatus for and method of managing the availability of items. Sheldon et al. (U.S. Patent 5,765,143) disclose a method and system for inventory management. Bellini et al. (U.S.

Patent 5,974,395) disclose a system and method for extended enterprise planning across a supply chain. Purcell (U.S. Patent 6,081,789) discloses an automated and independently accessible inventory information exchange system. Nemzow (U.S. Patent 6,721,715) disclose a method and apparatus for localizing currency valuation independent of the original and objective currencies.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas D. Rosen whose telephone number is 703-305-0753. The examiner can normally be reached on 8:30 AM - 5:00 PM, M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wynn Coggins can be reached on 703-308-1344. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306. Non-official/draft communications can be faxed to the examiner at 703-746-5574.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nicholas D. Rosen
NICHOLAS D. ROSEN
PRIMARY EXAMINER
October 12, 2004